

STATE OF SOUTH CAROLINA	)	BEFORE THE CHIEF PROCUREMENT OFFICER
COUNTY OF RICHLAND	)	
	)	
In the Matter of Protests of:	)	
	)	
Southeastern Paper Group,	)	Case No(s): 2010-128
Ramayan Supply, Inc.,	)	2010-129
XPEDX	)	2010-130
	)	
	)	
	)	<b>DECISION</b>
Materials Management Office	)	
IFB No. 5400002037	)	
Statewide Term Contract for	)	Posting Date: October 19, 2010
<u>Toilet Paper and Paper Towels</u>	)	Mailing Date: October 19, 2010

This matter is before the Chief Procurement Officer (CPO) based on protest letters filed requesting an administrative review pursuant to Section 11-35-4210(1)(b) of the South Carolina Consolidated Procurement Code (Code). With this Invitation for Bids (IFB), the Materials Management Office (MMO) attempts to procure statewide term contracts for toilet paper and paper towels. Following the issuance of the Intent to Award, Southeastern Paper Group (Southeastern), Ramayan Supply, Inc. (Ramayan), and XPEDX protested. Their protest letters are attached and incorporated herein by reference.

#### **Protest of Ramayan**

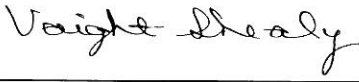
On September 23, 2010, Ramayan withdrew its protest letter and amended protest letter. Therefore, its protest is dismissed.

#### **Protests of Southeastern and XPEDX**

In the remaining protest letters, Southeastern Paper Group and XPEDX challenge the Intent to Award in this matter, which was issued by MMO on September 3, 2010. However, I have issued a Written Determination pursuant to Regulation 19-445.2085(C). Specifically, my

Written Determination finds that MMO made two administrative errors in this procurement, which necessitate the entire Intent to Award be canceled and the matter be re-awarded.

Based on my Written Determination, the protests of Southeastern and XPEDX are rendered moot. Therefore, the protests of Southeastern and XPEDX are also hereby dismissed.

  
\_\_\_\_\_

October 19, 2010

Columbia, SC

## STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

The South Carolina Procurement Code, in Section 11-35-4210, subsection 6, states:

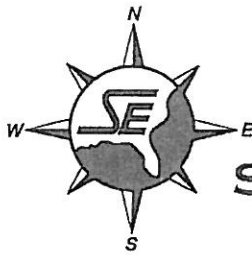
(6) Finality of Decision. A decision pursuant to subsection (4) is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests a further administrative review by the Procurement Review Panel pursuant to Section 11-35-4410(1) within ten days of posting of the decision in accordance with subsection (5). The request for review must be directed to the appropriate chief procurement officer, who shall forward the request to the panel or to the Procurement Review Panel, and must be in writing, setting forth the reasons for disagreement with the decision of the appropriate chief procurement officer. The person also may request a hearing before the Procurement Review Panel. The appropriate chief procurement officer and an affected governmental body shall have the opportunity to participate fully in a later review or appeal, administrative or judicial.

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Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: [www.procurementlaw.sc.gov](http://www.procurementlaw.sc.gov)

FILE BY CLOSE OF BUSINESS: Appeals must be filed by 5:00 PM, the close of business. *Protest of Palmetto Unilect, LLC*, Case No. 2004-6 (dismissing as untimely an appeal emailed prior to 5:00 PM but not received until after 5:00 PM); *Appeal of Pee Dee Regional Transportation Services, et al.*, Case No. 2007-1 (dismissing as untimely an appeal faxed to the CPO at 6:59 PM).

FILING FEE: Pursuant to Proviso 83.1 of the General Appropriations Act for Fiscal Year 2010-2011, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South Carolina Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of hardship, the party shall submit a notarized affidavit to such effect. If after reviewing the affidavit the panel determines that such hardship exists, the filing fee shall be waived." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, a business must retain a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003).



## SOUTHEASTERN PAPER GROUP

P O Box 6220 • Spartanburg SC 29304 • Phone (864) 574-0440 • (800) 658-7230  
Fax (877) 236-2144 • sepaper@sepapergroup.com



September 10, 2010

Chief Procurement Officer, Materials Management Office

Protest of Solicitation 5400002037 and specifically Notice of Intent to Award Contracts 4400002843 and 4400002840

### Grounds of Protest:

- 1) The main object of bid award "to reward the lowest responsible and responsive bidder" ( Section VI - Award Criteria ) was not accomplished.
- 2) The process for calculating the low bid as described in the bid information packet ( Section VI - Calculating the Low Bid) was not followed.
- 3) The logic used to calculate the low bid by MMO office was severely flawed
- 4) SEPG ( Southeastern Paper Group) has been irreparably aggrieved by the current intent to award notice.
- 5) The State of SC taxpayers will pay significantly more for paper towels and toilet tissue than required if the current awards are carried out.

### Explanation of Grounds:

- 1) As seen in attachment A to this letter, the current intent to award winner results in a higher total cost for bid Lot 1 ( Proposed Contract 4400002840 ) of \$ 383,393.59. Also as shown in Attachment B to this letter, the current intent to award winner results in a higher total cost of bid Lot 4 ( Proposed Contract 4400002843 ) of \$ 83,950.97. Therefore the full overarching intent of the bid as stated in the bid instructions has not been realized.
- 2) The process to calculate the low bid is described in the bid instructions as follows:

#### **CALCULATING THE LOW BID**

The weighted percent was determined based on the total number of cases divided by the number of cases.

The weighted percent and the "case price vendor input" equals the weighted price per case.

The sum of weighted case price will be divided by the # of square feet per case. If the recycled preference is claimed on the Bid Schedule, the preference will be applied after bid opening.

The total of all extended prices within a lot will be sum totaled.  
(emphasis added)

As I understand the process followed as explained to me in a phone conversation with Ms Theresa Watts on Thursday, September 9, 2010 all lines of this process were followed **except the last line of the paragraph**. After the calculation of the weighted cost per square foot no extension calculations were made.

By definition " **the total of all extended prices** " states that there will be a calculation that extends this weighted cost per square foot by the total number of square feet per item to show a total State spend per line item. These extensions will then be sum totaled to give a total cost per lot and the lowest total cost per lot will be awarded the bid. This process was not followed by procurement office.

- 3) By **not** extending the prices as described in paragraph 2 above and prescribed in the bid packet ( Section VI ), a flawed logic was used to determine the low bidder. Without proper line item price extensions it is impossible to determine the low cost bidder. This resulted in a high bidder being awarded the bid.
- 4) As shown on attachments A and B, SEPG will be irreparably aggrieved if the current intent to award is carried out. SEPG provided the State with a lower total cost option on the two Lots in question. By being the "lowest responsible and responsive bidder" and **not** being awarded the contract, SEPG would experience a tremendous loss of business volume.
- 5) Under the current intent to award situation the State of SC will pay significantly higher prices than necessary over the term of this bid. During the current economic and political climate the taxpayers of SC cannot afford to pay more than required for any product or service. As shown on attachments A and B, the State is not experiencing the desired outcome of this bid process.

#### Requested Remedy

The State should recalculate the bids of all bidders using the process as outlined in the Bid information packet. Simply extend prices per line item and sum those extensions by Lot as prescribed in the bid instruction packet. The bids of all responsive and responsible bidders are in the hands of the State MMO office. All bidders reasonably expected this process to be followed initially. While I understand that SEPG is not guaranteed a winning bid when the correct process is followed, I remain confident in our position. As shown, SEPG has proven to be lower than the current designated award winners. I respectfully request that the bid determination process with line extensions be followed as per the bid instructions provided to all offerors in the solicitation and the current notices of intent to award be rescinded.

Will Green



Sr. Vice President  
Sales and Purchasing  
Southeastern Paper Group  
1-800-858-7230 ext.3217  
[willgreen@sepapergroup.com](mailto:willgreen@sepapergroup.com)

ATTACHMENT A  
State Bid lot 1

SEPG										JANPAK					
Item #	Scale	# of cases	Weighted percent	Case Price	Weighted Case Price	# of Square feet per Case	(A) Total Square Feet	Cost per Square foot	(A) Extended Cost	Case Price	Weighted Case Price	# of Square feet per Case	(A) Total Square Feet	Cost per Square foot	(A) Extended Cost
1	0-25	1	2%	\$ 26.51	\$ 0.53					\$ 30.04	\$ 0.60				
	26-99	10,413	37%	\$ 24.24	\$ 8.97					\$ 29.09	\$ 10.76				
	100-299	8,871	32%	\$ 24.18	\$ 7.74					\$ 28.79	\$ 9.21				
	300-999	5,640	20%	\$ 24.11	\$ 4.82					\$ 28.49	\$ 5.70				
	1000	2,540	9%	\$ 24.05	\$ 2.16					\$ 28.20	\$ 2.54				
		27,465			\$ 24.22	5,000.00	137,325,000	0.00484	664,653.00		\$ 28.81	5,000.00	137,325,000	0.00576	790,992.00
2	0-25	1	1%	\$ 30.40	\$ 0.30					\$ 36.81	\$ 0.37				
	26-99	2,503	7%	\$ 27.79	\$ 1.95					\$ 35.64	\$ 2.49				
	100-299	2,062	6%	\$ 27.72	\$ 1.66					\$ 35.27	\$ 2.12				
	300-999	540	3%	\$ 27.65	\$ 0.83					\$ 34.91	\$ 1.05				
	1000	26,430	83%	\$ 27.23	\$ 22.60					\$ 34.37	\$ 28.53				
		31,536			\$ 27.34	10,000.00	315,360,000	0.00273	860,932.80		\$ 34.55	10,000.00	315,360,000	0.00346	1,091,145.60
3	0-25	1	2%	\$ 22.44	\$ 0.45					\$ 22.59	\$ 0.45				
	26-99	1,349	4%	\$ 20.52	\$ 0.82					\$ 22.11	\$ 0.88				
	100-299	3,089	9%	\$ 20.47	\$ 1.84					\$ 21.67	\$ 1.95				
	300-300	27,204	85%	\$ 20.10	\$ 17.09					\$ 21.33	\$ 18.13				
		31,643			\$ 20.20	3,550.00	112,332,650	0.00569	639,172.78		\$ 21.42	3,550.00	112,332,650	0.00603	677,365.88
4	0-25	13,081	97%	\$ 18.65	\$ 18.09					\$ 17.81	\$ 17.28				
	26-99	1	1%	\$ 18.60	\$ 0.19					\$ 17.72	\$ 0.18				
	100-299	1	1%	\$ 18.50	\$ 0.19					\$ 17.35	\$ 0.17				
	300-300	1	1%	\$ 18.50	\$ 0.19					\$ 17.17	\$ 0.17				
		13,084			\$ 18.65	3,550.00	46,448,200	0.00525	243,853.05		\$ 17.80	3,550.00	46,448,200	0.00501	232,705.48
5		86	100%	\$ 12.00	\$ 12.00				1,032.00		\$ 10.78				927.08
6		81	100%	\$ 12.00	\$ 12.00				972.00		\$ 10.78				873.18
TOTAL LOT 1 EXTENDED COST SEPG										TOTAL LOT 1 EXTENDED COST JANPAK					
										2,410,615.63					
										2,794,009.22					

ATTACHMENT B  
State Bid Lot 4

SEPG											DADE						
Item #	Scale	# of cases	Weighted Percent	Case Price	Vendor Input	Weighted Case Price	# of Square feet per Case	(A) Total Square Feet	Cost per Square foot	(A) Extended Cost	Case Price	Vendor Input	Weighted Case Price	# of Square feet per Case	(A) Total Square Feet	Cost per Square foot	(A) Extended Cost
9	0-10	1	0.002%	\$ 15.53	\$ 0.00						\$ 14.41	\$ 0.00					
11-199		25,354	47.955%	\$ 13.71	\$ 6.57						\$ 14.27	\$ 6.84					
200		27,515	52.043%	\$ 13.64	\$ 7.10						\$ 14.21	\$ 7.40					
		52,870		\$ 13.67			2,407,986	127,310,220	0.00568	\$ 723,122.05		\$ 14.24	2,407,986	127,310,220	0.00591	\$ 752,403.40	
10	0-10	1	0.002%	\$ 13.41	\$ 0.00						\$ 12.63	\$ 0.00					
11-199		24,821	57.133%	\$ 11.69	\$ 6.68						\$ 12.50	\$ 7.14					
200		18,622	42.864%	\$ 11.63	\$ 4.99						\$ 12.45	\$ 5.34					
		43,444		\$ 11.66			2,407,986	104,612,544	0.00484	\$ 506,324.71		\$ 12.48	2,407,986	104,612,544	0.00518	\$ 541,892.98	
11	0-10	1	0.083%	\$ 18.41	\$ 0.02						\$ 16.89	\$ 0.01					
11-199		892	73.597%	\$ 16.47	\$ 12.12						\$ 16.73	\$ 12.31					
200		319	26.320%	\$ 16.30	\$ 4.29						\$ 16.66	\$ 4.38					
		1,212		\$ 16.43			2,598,090	3,148,885	0.00632	\$ 19,900.95		\$ 16.71	2,598,090	3,148,885	0.00643	\$ 20,247.33	
12	0-10	1	0.005%	\$ 14.59	\$ 0.00						\$ 13.38	\$ 0.00					
11-199		6,919	35.809%	\$ 12.88	\$ 4.61						\$ 13.25	\$ 4.74					
200		12,402	64.186%	\$ 12.75	\$ 8.18						\$ 13.20	\$ 8.47					
		19,322		\$ 12.80			2,598,090	50,200,295	0.00493	\$ 247,487.45		\$ 13.22	2,598,090	50,200,295	0.00509	\$ 255,519.50	
13	0-10	1	0.043%	\$ 19.71	\$ 0.01						\$ 19.21	\$ 0.01					
11-199		2,019	86.652%	\$ 17.45	\$ 15.12						\$ 19.02	\$ 16.48					
200		300	12.876%	\$ 17.40	\$ 2.24						\$ 18.95	\$ 2.44					
		2,320		\$ 17.37			2,754,500	6,390,440	0.00631	\$ 40,323.68		\$ 18.93	2,754,500	6,390,440	0.00687	\$ 43,902.32	
14	0-10	1	0.020%	\$ 16.12	\$ 0.00						\$ 14.79	\$ 0.00					
11-199		3,804	74.268%	\$ 14.23	\$ 10.57						\$ 14.64	\$ 10.87					
200		1,317	25.713%	\$ 14.20	\$ 3.65						\$ 14.58	\$ 3.75					
		5,122		\$ 14.22			2,754,500	14,108,549	0.00516	\$ 72,800.11		\$ 14.62	2,754,500	14,108,549	0.00531	\$ 74,916.40	
15	0-10	1	0.035%	\$ 23.94	\$ 0.01						\$ 21.58	\$ 0.01					
11-199		1,768	61.926%	\$ 21.20	\$ 13.13						\$ 21.37	\$ 13.23					
200		1,086	38.039%	\$ 21.14	\$ 8.04						\$ 21.29	\$ 8.10					
		2,855		\$ 21.18			3,148,000	8,987,540	0.00673	\$ 60,486.14		\$ 21.34	3,148,000	8,987,540	0.00678	\$ 60,935.52	
16	0-10	1	33.333%	\$ 21.59	\$ 7.20						\$ 20.50	\$ 6.83					
11-199		1	33.333%	\$ 21.11	\$ 7.04						\$ 20.31	\$ 6.77					
200		1	33.333%	\$ 20.88	\$ 6.96						\$ 20.23	\$ 6.74					
		3		\$ 21.19			3,148,000	9,444	0.00673	\$ 63.56		\$ 20.35	3,148,000	9,444	0.00646	\$ 61.01	
17	0-10	1	0.011%	\$ 19.82	\$ 0.00						\$ 18.18	\$ 0.00					
11-199		5,844	63.460%	\$ 17.55	\$ 11.14						\$ 18.01	\$ 11.43					
200		3,364	36.529%	\$ 17.37	\$ 6.35						\$ 17.94	\$ 6.55					
		9,209		\$ 17.48			1,868,333	17,205,479	0.00936	\$ 161,043.28		\$ 17.98	1,868,333	17,205,479	0.00963	\$ 165,688.76	

# ATTACHMENT B

State Bid Lot 4

SEPG										DADE											
Item #	Scale	# of cases	Weighted percent	Case Price		Weighted Case Price	# of Square feet per Case	Cost per		Extended Cost	Case Price		Weighted Case Price	# of Square feet per Case	Cost per		Extended Cost				
				Vendor Input				(A) Total Square foot	(A)		Vendor Input				(A) Total Square Foot	(A)					
19	0	433	100.000%	\$	7.50	\$	7.50			\$	3,247.50	\$	7.40	\$	7.40			\$	3,204.20		
21	0	1	100.000%	\$	35.00	\$	35.00			\$	35.00	\$	11.00	\$	11.00			\$	11.00		
22	0	1	100.000%	\$	12.00	\$	12.00			\$	12.00	\$	16.00	\$	16.00			\$	16.00		
23	0	1	100.000%	\$	12.00	\$	12.00			\$	12.00	\$	11.00	\$	11.00			\$	11.00		
TOTAL LOT 4 EXTENDED COST SEPG										\$	1,834,858.44	TOTAL LOT 4 EXTENDED COST DADE								\$	1,918,809.41

(A) - Column added for calculation clarity

(A) - Column added for calculation clarity



FROM: Ramayan Supply, Inc  
27 C Trotter Rd  
West Columbia, SC 29169  
September 9, 2010

TO: Chief Procurement Officer, Materials Management Office  
1201 Main Street, Suite 600  
Columbia, SC 29201

RE: Motion for Protest of Award for Solicitation 540000203 – Paper Towels and Toilet Paper

Dear Chief Procurement Officer, Materials Management Office:

This letter officially announces Ramayan Supply, Inc's protest of the award for Solicitation 540000203 – Paper Towels and Toilet Paper. We believe the language stated in the solicitation is not consistent with how the award was issued. Please see the case points below:

1) Section 1: The solicitation did not state that multiple contracts would be awarded per line item to more than two vendors. Section 1 states "An award will be issued to the two lowest responsive and responsible bidders." Our Interpretation was that two vendors with the lowest overall contract pricing would be awarded. Had the solicitation clarified the actual method of award, we would have strategized our pricing differently.

2) Price calculation. Ramayan Supply Inc's bidding prices per line items were skewed based on how the square feet/case calculation was interpreted from the solicitation. We strongly feel that had the solicitation defined "square feet/case" properly, we would have had an advantage in many areas. We interpreted the "square feet/case" as the surface area of 1 case rather than square feet of the items within the case. Please take a look at our analysis in the attached spreadsheet. Items displayed provide a final re-pricing based on the preferred square feet/case calculation. Please note we are only challenging items where we found our pricing to be lower than our competitors.

Ramayan Supply, Inc has a long history of providing quality products and excellent service at the most competitive rates. We look forward doing business with the State of South Carolina and strongly urge to you to reconsider and reevaluate our offer.

We are looking forward to working with you.

Sincerely,

Vinod Patel  
CEO/President

RECEIVED

SEP 22 2010

Materials Management Office



Item #	Description	Scale	# of cases	Weighted percent	Case Price Vendor Input	Weighted Case Price	# of Square Feet Per Case	Dispenser Totals
1	Lot 1 -	0-25	1	2.00%	29.62	0.59		
		26-99	10413	37.00%	28.33	10.48		
		100-299	8871	32.00%	28.33	9.07		
		300-999	5640	20.00%	28.28	5.66		
		1000	2540	9.00%	28.18	2.54		
						28.33	4.11	
							6.89344	
2	Lot 1	0-25	1	1.00%	31.19	0.31		
		26-99	2503	7.00%	31.30	2.19		
		100-299	2062	6.00%	31.30	1.88		
		300-999	540	3.00%	31.19	0.94		
		1000	26430	83.00%	31.19	25.89		
						31.21	5.00	
							6.24157	
3	Lot 1	0-25	1	2.00%	30.22	0.60		
		26-99	1349	4.00%	30.22	1.21		
		100-299	3089	9.00%	30.18	2.72		
		300-300	27204	85.00%	30.11	25.60		
						30.13	3.42	
							8.80896	
4	Lot 1	0-25	13081	97.00%	20.05	19.45		
		26-99	1	1.00%	20.05	0.20		
		100-299	1	1.00%	20.05	0.20		
		300-300	1	1.00%	20.05	0.20		
						20.05	2.1	
							9.54995	
5	Lot 1	0	86	100.00%	9.43	9.43		
6	Lot 1	0	81	100.00%	18.87	18.87		
7	Lot 2	0-25	1000	49.98%	46.09	23.03		
		26-99	500	24.99%	45.89	11.47		
		100-299	500	24.99%	45.89	11.47		
		300	1	0.05%	45.99	0.02		
						45.99	3.00	
							15.32938	
	<b>Lot 1 Total</b>						<b>31.49393</b>	<b>28.30</b>
	<b>Lot 2 Total</b>						<b>15.32938</b>	
8	Lot 3	0-10	0	0.00%	32.22	0.00		
		11-199	2156	100.00%	32.22	32.22		
		200	0	0.00%	32.22	0.00		
						32.22	2.50	
							12.88986	
	<b>Lot 3 Total</b>						<b>31.49393</b>	
9	Lot 4	0-10	1	0.002%	15.32	0.00		
		11-199	25354	47.955%	15.21	7.30		

		200	27515	52.043%	15.21	7.92	
						15.21	1.72
							8.84535
10	Lot 4	0-10	1	0.002%	13.31	0.00	
		11-199	24821	57.133%	13.10	7.49	
		200	18622	42.864%	13.10	5.62	
						13.10	1.64
							7.99033
11	Lot 4	0-10	1	0.083%	18.08	0.01	
		11-199	892	73.597%	17.67	13.00	
		200	319	26.320%	17.67	4.65	
						17.67	1.98
							8.92318
12	Lot 4	0-10	1	0.005%	14.94	0.00	
		11-199	6919	35.809%	14.34	5.13	
		200	12402	64.186%	14.34	9.20	
						14.34	1.98
							7.24019
13	Lot 4	0-10	1	0.043%	19.28	0.01	
		11-199	2019	86.652%	18.76	16.26	
		200	300	12.876%	19.28	2.48	
						18.75	2.145
							8.73955
14	Lot 4	0-10	1	0.020%	15.27	0.00	
		11-199	3804	74.268%	15.27	11.34	
		200	1317	25.713%	15.27	3.93	
						15.27	2.145
							7.11775
15	Lot 4	0-10	1	0.035%	19.14	0.01	
		11-199	1768	61.926%	18.62	11.53	
		200	1086	38.039%	18.62	7.08	
						18.62	2.06
							9.04009
16	Lot 4	0-10	1	33.333%	17.03	5.68	
		11-199	1	33.333%	17.03	5.68	
		200	1	33.333%	17.03	5.68	
						17.03	2.06
							8.26736
17	Lot 4	0-10	1	0.011%	16.19	0.00	
		11-199	5844	63.460%	15.58	9.88	
		200	3364	36.529%	15.58	5.69	
						15.58	2.12
							7.34750
18	Lot 4	0-10	1	33.333%			
	Item Deleted	11-199	1	33.333%			
		200	1	33.333%			



FROM: Ramayan Supply, Inc  
27 C Trotter Rd  
West Columbia, SC 29169  
September 9, 2010

TO: Chief Procurement Officer, Materials Management Office  
1201 Main Street, Suite 600  
Columbia, SC 29201

RE: Protest of Award for Solicitation 5400002037 – Paper Towels and Toilet Paper

Dear Chief Procurement Officer, Materials Management Office:

This letter officially announces Ramayan Supply, Inc's protest of the award for Solicitation 5400002037 – Paper Towels and Toilet Paper. We believe the language stated in the solicitation is not consistent with how the award was issued. Please see the case points below:

1) Section 1: The solicitation did not state that the 2 contracts would be awarded per line item for multiple vendors. Section 1 states "An award will be issued to the two lowest responsive and responsible bidders." Our Interpretation was that two vendors with the lowest overall contract pricing would be awarded. Had the solicitation clarified this method of award, we would have strategized our pricing differently.

2) Overall Pricing. Ramayan Supply Inc's bidding prices per line items were skewed based on how the square feet/case calculation was interpreted from the solicitation. We strongly feel that had the solicitation defined "square feet/case" properly, we would have had an advantage in many areas. We interpreted the "square feet/case" as volume of 1 box rather than square feet of the rolls. Please take a look at our analysis in the attached spreadsheet. Items displayed provide a final re-pricing based on the preferred square feet/case calculation. Also note that we have only included high volume items where we may have an advantage.

Ramayan Supply, Inc has a long history of providing quality products and excellent service at the most competitive rates. We look forward doing business with the State of South Carolina and strongly urge to you to reconsider and reevaluate our offer.

We are looking forward to working with you.

Sincerely,

Vinod Patel  
CEO/President

### New Square Ft. Calculation

No	Bid Lot/Item No	Item No.	Description	Size	Core	Sheets Per Roll	Roll Per case	Manufacture	Weighted Average Price Per Case	Total Sheet Sq.Ft. Per Case	Price Per Sheet
1	Lot#1/ Item#1	4060	Toilet Tissue 2ply 4.3 x 3.75 in (11 x 10 cm)	4.3x3.75		550	80	Casacade	\$ 28.83	4,927.08	\$ 0.0058513319
2	Lot#1/ Item#2	5501	Toilet Tissue 1Ply 4.5" x 3.6"	4.5x3.6		1000	96	Vondrehle	\$ 31.21	10,800.00	\$ 0.0028898148
4	Lot#3/Item#8	816B	Paper Towel 10'x800'	10"		800'	6	Vondrehle	\$ 32.22	4,000.00	\$ 0.0080550000
5	Lot#4/Item#15	1762	Hardwound Roll White	7.875"	1.9"	800'	6	Casacade	\$ 18.62	3,150.00	\$ 0.0059111111
6	Lot#4/Item#16	1760	Hardwound Roll Natural	7.875"	1.9"	800'	6	Casacade	\$ 17.03	3,150.00	\$ 0.0054063492
7	Lot#4/Item#17	2650	Center Pull Towel	7.3"		350'	6	Casacade	\$ 15.58	1,277.50	\$ 0.0121956947



**Skinner, Gail**

**From:** Protest-MMO [Protest-MMO@mmo.sc.gov]  
**Sent:** Monday, September 13, 2010 3:46 PM  
**To:** \_MMO - Procurement; Shealy, Voight; Skinner, Gail  
**Subject:** FW: Protest of Solicitation Number 5400002037

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**From:** James L Mills[SMTP:JAMES.MILLS@IPAPER.COM]  
**Sent:** Monday, September 13, 2010 3:45:35 PM  
**To:** Protest-MMO  
**Cc:** Dewitt D Clark; Watts, Theresa  
**Subject:** Protest of Solicitation Number 5400002037  
**Auto forwarded by a Rule**

xpedx is protesting the award of Solicitation Number 5400002037. xpedx was notified that we were considered non-compliant because of our failure to provide the # of Square Feet per case on Attachment D. We are protesting because the written instructions provided by the State of South Carolina were incomplete and incomplete.

We request relief as follows:

- 1) Allow xpedx to provide the State with the square footage per case of the product bid, and
- 2) Consider this information in the awarding of this Solicitation.

Since this information is public knowledge and can be verified by the State via the stated manufacturers website and /or published catalogs, it cannot be manipulated in any way to gain an unfair advantage.

Respectfully yours;

Jim Mills / Sales Manager / xpedx Columbia  
2810 Shop Road / Columbia, SC 29209  
Office 803-476-1647 / Cell 803-212-8636  
james.mills@ipaper.com

9/13/2010